

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BOARD OF TRUSTEES OF THE AFTRA RETIREMENT FUND, in its capacity as a fiduciary of the AFTRA Retirement Fund, individually and on behalf of all others similarly situated,

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,
Defendant.

BOARD OF TRUSTEES OF THE IMPERIAL COUNTY EMPLOYEES' RETIREMENT SYSTEM, in its capacity as a fiduciary of the Imperial County Employees' Retirement System, individually and on behalf of all others similarly situated,

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,
Defendant.

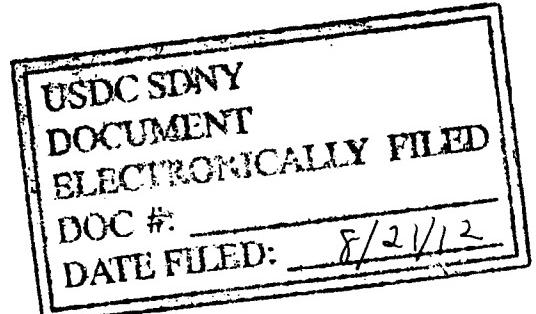
THE INVESTMENT COMMITTEE OF THE MANHATTAN AND BRONX SURFACE TRANSIT OPERATING AUTHORITY PENSION PLAN, in its capacity as a fiduciary of the MaBSTOA Pension Plan, individually and on behalf of all others similarly situated,

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,
Defendant.

Consolidated as
Civil Action No. 09-00686 (SAS) (DF)
ECF Case



ORDER FOR APPROVAL OF THE PLAN OF ALLOCATION AND APPROVAL OF DISTRIBUTION OF THE NET SETTLEMENT FUND TO THE CLASS

WHEREAS, Named Plaintiffs in the Action, the Board of Trustees of the AFTRA Retirement Fund, the Board of Trustees of the Imperial County Employees' Retirement System, and Investment Committee of the Manhattan and Bronx Surface Transit Operating Authority Pension Plan, in their respective capacities as fiduciaries of the AFTRA Retirement Fund, the Imperial County Employees' Retirement System and the MaBSTOA Pension Plan (collectively, the "Named Plaintiffs" or "Plaintiffs"), on behalf of themselves and the members of the Class, and JPMorgan Chase Bank, N.A. ("JPMC Bank") entered into a Stipulation of Settlement dated as of March 28, 2012 ("Stipulation") that provides for the claims asserted in the above-referenced litigation against JPMC Bank to be dismissed with prejudice on the terms and conditions set forth in the Stipulation, subject to the approval of this Court ("Settlement"); and

WHEREAS, unless otherwise defined in this Order, the capitalized terms herein shall have the same meaning as they have in the Stipulation; and

WHEREAS, by Order dated March 30, 2012 (the "Preliminary Approval Order"), this Court (a) preliminarily approved the Settlement; (b) ordered that notice of the proposed Settlement be provided to members of the Class; (c) provided members of the Class with the opportunity to exclude themselves from the proposed Settlement, (d) provided Class Members with the opportunity to object to the proposed Settlement, and (e) scheduled a hearing regarding final approval of the Settlement; and

WHEREAS, due and adequate notice has been given to the Class; and

WHEREAS, the Court conducted a hearing on June 4, 2012 to consider, among other things, (i) whether the terms and conditions of the Settlement are fair, reasonable and adequate and should therefore be approved; and (ii) whether a judgment should be entered dismissing the Action with prejudice; and

WHEREAS, the Court having reviewed and considered the Stipulation, all papers filed and proceedings held herein in connection with the Settlement, all oral and written comments received regarding the proposed Settlement, and the record in the Action, and good cause appearing, the Court entered its Judgment Approving Class Action Settlement (“Judgment”) on June 5, 2012 approving the terms of the Stipulation; and

WHEREAS, the Court directed the parties to consummate the Settlement; and

WHEREAS, the Judgment is now Final in accordance with the terms of the Stipulation as there have been no appeals from the Judgment and the time for filing or noticing such an appeal has expired; and

WHEREAS, the Court retained jurisdiction over the Settlement, including the administration and consummation of the Settlement; and

WHEREAS, the Court having reviewed and considered Plaintiffs’ Unopposed Motion for an Order Approving the Plan of Allocation and Approving Distribution of the Net Settlement Fund to the Class, and all exhibits thereto, as well as the Declaration of Stacy Roe of Rust Consulting, Inc., and upon all prior related papers filed and proceedings held herein and after due deliberation, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. The Plan of Allocation is fair and equitable and is hereby approved;
2. The administrative determinations by the Settlement Administrator, Rust Consulting, Inc., in consultation with Named Plaintiffs, are hereby approved; and
3. The Net Settlement Fund shall be distributed to Class Members according to the Plan of Allocation and the Judgment and as described in the Declaration of Stacy Roe of Rust Consulting, Inc. within thirty (30) days from entry of this Order.

IT IS SO ORDERED.

Dated:

Aug 20, 2012



Hon. Shira A. Scheindlin
United States District Judge